

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

V.

HORACE SMITH,

Defendant,

and

O'CONNOR & ASSOCIATES,

Garnishee.

No. _____

3-11CV1049-M

CLERK'S NOTICE OF POST-JUDGMENT GARNISHMENT TO DEFENDANT

You are notified, pursuant to 28 U.S.C. § 3202, that your property is being sought by the United States of America (United States), which holds a judgment against you dated October 22, 2007 in criminal case number 3:03-CR-415-09.

Computation of the debt as of May 13, 2011 is:

\$162,553.96	Judgment amount
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(\$ 7,695.91) Credits applied to judgment

\$154,858.05	Debt balance
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Exemptions may protect the property from being taken by the United States if you can show exemptions apply. *See* 18 U.S.C. § 3613. The attached Claim for Exemptions,

Request for Hearing, and/or Request for Transfer contains a summary of the major exemptions that apply.

You have a right to ask the Court to return your property if you think that you do not owe the debt to the government, or if you think the property the government seeks qualifies under an exemption(s).

If you want a hearing, you must notify the Court within 20 days after you receive this notice. Your request must be in writing, and you may use the attached form to request the hearing. You must mail or deliver the original to the United States District Clerk, 1100 Commerce Street, Room 1452, Dallas TX 75242. You must also mail a copy to Mattie Peterson Compton, Assistant United States Attorney, Burnett Plaza Suite 1700, 801 Cherry Street Unit 4, Fort Worth, TX 76102-6882, so the government will know you want a hearing.

If you are entitled to a hearing,

~~The~~ hearing will take place within five days after the United States District Clerk

receives your request, if you ask for it to take place that quickly, or as soon after that as

possible. The Court will issue an order advising you of the date, time, and place of ~~the~~ *any*

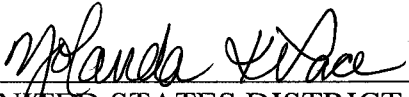
scheduled hearing.

At the hearing, you may explain to the judge why you believe the property the government seeks is exempt or why you think you do not owe the debt to the government.

If you do not request a hearing, your property may be delivered to the United States and applied to the debt you owe.

If you think you live outside the federal judicial district where this Court is located, you may request, not later than 20 days after you receive this notice, that this proceeding be transferred by this Court to the federal judicial district where you reside. You must make your request in writing, and mail or deliver the original to the United States District Clerk, 1100 Commerce Street, Room 1452, Dallas TX 75242. You must also mail a copy of the hearing request to Mattie Peterson Compton, Assistant United States Attorney, Burnett Plaza Suite 1700, 801 Cherry Street Unit 4, Fort Worth, TX 76102-6882, so the government will know you want the proceeding to be transferred. You may use the attached form to request a transfer.

Be sure to keep a copy of this notice for your records. If you have any questions about your rights or this procedure, you should contact a lawyer, an office of public legal assistance, or the United States District Clerk. The United States District Clerk is not permitted to give legal advice, but may refer you to other sources of information.


UNITED STATES DISTRICT CLERK - Deputy Clerk
NORTHERN DISTRICT OF TEXAS

Date May 24, 2011

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

HORACE SMITH,

Defendant,

and

O'CONNOR & ASSOCIATES,

Garnishee.

No. _____

3-11 CV 1049-M

CLAIM FOR EXEMPTIONS, REQUEST FOR HEARING, AND/OR REQUEST FOR TRANSFER

To complete this form, check the adjacent space(s) to an exemption(s) you are claiming, check the box below to request a hearing, and/or check the box below to request a transfer to another federal judicial district. You must mail or deliver the original of this form to the United States District Clerk and mail a copy to the United States of America, as explained in the attached Clerk's Notice of Post-Judgment Garnishment to Defendant.

See 28 U.S.C. § 3202(b).

Wearing apparel and school books. 26 U.S.C. § 6334(a)(1).

— Fuel, provisions, furniture, and personal effects that do not exceed \$6,250.
26 U.S.C. § 6334(a)(2).

- ___ Books and tools of a trade, business, or profession that do not exceed \$3,125. 26 U.S.C. § 6334(a)(3).
- ___ Unemployment benefits. 26 U.S.C. § 6334(a)(4).
- ___ Undelivered mail. 26 U.S.C. § 6334(a)(5).
- ___ Certain annuity and pension payments.--Annuity or pension payments under the Railroad Retirement Act, benefits under the Railroad Unemployment Insurance Act, special pension payments received by a person whose name has been entered on the Army, Navy, Air Force, and Coast Guard Medal of Honor Roll, and annuities based on retired or retainer pay. 26 U.S.C. § 6334(a)(6).
- ___ Workmen's compensation. 26 U.S.C. § 6334(a)(7).
- ___ Judgments for support of minor children, pursuant to a court judgment entered prior to the date of levy, to contribute to the support of defendant's minor children. 26 U.S.C. § 6334(a)(8).
- ___ Certain service-connected disability payments. 26 U.S.C. § 6334(a)(10).
- ___ Assistance under Job Training Partnership Act. 26 U.S.C. § 6334(a)(12).

- ☐ I am requesting a hearing for the exemptions checked above.
- ☐ I am not requesting a hearing for the exemptions checked above.
- ☐ I am requesting a transfer to the federal district where I reside in the

_____ (district) of _____ (state).

Horace Smith

Date _____